

JAP: AL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

JENNIFER DIAZ,

PRE-ARRAIGNMENT
C O M P L A I N T
(21 U.S.C. §§ 952(a)
and 960)

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

GERARD MCMAHON, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about June 22, 2012, within the Eastern District of New York and elsewhere, defendant JENNIFER DIAZ did knowingly, intentionally and unlawfully import into the United States from a place outside thereof cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. At approximately 4:34 p.m. on June 22, 2012, defendant JENNIFER DIAZ arrived at John F. Kennedy International Airport in Queens, New York, aboard Cielo Maya Flight No. 830 from Panama City, Panama.

2. During an examination, a Customs and Border Protection Officer noticed that defendant JENNIFER DIAZ appeared unusually nervous, for example she avoided eye contact with the officer, and provided inconsistent information about her travel.

3. The defendant was presented with x-ray consent forms, which she read, appeared to understand and signed.

4. The defendant JENNIFER DIAZ was transported to the medical facility at John F. Kennedy International Airport, where an x-ray taken of the defendant's intestinal tract was positive for foreign bodies. On June 22, 2012 at approximately 7:32 p.m., defendant JENNIFER DIAZ passed 12 pellets, one of which field-tested positive for the presence of cocaine. Defendant JENNIFER DIAZ was then placed under arrest.

5. Defendant JENNIFER DIAZ will be detained at the JFK medical facility until such time as each has passed all the pellets contained within her intestinal tract.

WHEREFORE, your deponent respectfully requests that
defendant JENNIFER DIAZ be dealt with according to law.



GERARD MCMAHON
Special Agent
HSI

Sworn to before me this
23rd day of June, 2012

JDGE
RK